

# MEMO

## COMMISSION ON ETHICS & PUBLIC TRUST

**TO:** Ralph Granado, Esq., City Attorney for the City of Hialeah

**COPY:** Robert Meyers

**FROM:** Victoria Frigo

**DATE:** October 11, 2005

**RE:** INQ 05-166 Gifts

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Ralph,

In a telephone conversation today, you asked the following:

**QUESTION:** Must each elected official in the City of Hialeah who attended a League of Cities' dinner event disclose the gift of the dinner, valued at approximately \$125 and paid for by the City of Hialeah?

**ANSWER:** Yes. The city officials should disclose the gifts of \$125 each because they did not provide adequate consideration for the dinners. As you described, the officials attended the function as mere spectators, seated at a table purchased by the City. They did not actively function in their various capacities as city officials—participating in the event as presenters or panelists, for example, or serving the city as specific designees. Consequently, without transferring adequate consideration, their dinners are gifts, as defined in Section 2-11.1 (e) of the County Conflict of Interest and Code of Ethics Ordinance.

Section 2-11.1 (e)(1) defines the term “gift” as a transfer of anything of economic value without adequate consideration.

Section 2-11.1 (e)(4) requires that gifts in excess of \$100 from one person or entity be reported.

State Quarterly Gift Disclosure “Form 9” requires that each gift in excess of \$100 be reported quarterly.

I have discussed your question with Robert Meyers this afternoon, and he concurs with this opinion. If I can be of further assistance, please do not hesitate to contact me.